THE HON'BLE SRI JUSTICE C.V.RAMULU

W.P.No.27609 of 1997

Dated:07.3.2007

Between

1.Guvvala Komaraiah and others.

.....Petitioner

and

1. The Chief Manager, Zonal Office,
Andhra Bank, Warangal and another.

…Respondents

THE HON'BLE SRI JUSTICE C.V.RAMULU

W.P.No.27609 of 1997

ORDER:

This writ petition is filed seeking a Mandamus to declare the action of the 1st respondent in not transferring the petitioners' services from part time to that of Subordinate Staff Cadre in pursuance of the Circular No.164/3/25 dated 22.4.1986 and settlement arrived at under Section 12 (3) of the Industrial Disputes Act, 1947 though the petitioners have been called for interviews on 22.4.1996 in pursuance of Notification dated 14.3.1996 as arbitrary and illegal and consequently to direct the respondents to effect the transfer of the petitioners' services from part time to Subordinate Staff Cadre in the existing vacancies.

The petitioners are five in number. According to them, they have been working as sweepers. In pursuance of the notification dated 14.3.1996, the petitioners had applied and were called for interview on 22.4.1996, but the results were not announced. It is the case of the petitioners that as per the settlement arrived under Section 12 (3) of the Industrial Disputes Act, 1947 (for short 'the Act') dated 7.4.1986, the petitioners are entitled for transfer of their services from part time to that of Subordinate Staff Cadre. As per the settlement, part time employees, who have put in 5 years service in the respondent bank, are eligible to be considered for transfer to sub cadre subject to Clause 4 (2) of Circular No.164/3/25 dated 22.4.1986. Though the petitioners are qualified and eligible for being transferred to Subordinate Staff Cadre, no action has been taken by the respondents till date.

No counter is filed. However, Mr. Lakshmi

Narasimha, learned counsel for the respondents stated that since it is more than 10 years that the writ petition is lying before this Court, the case of the petitioners might have already considered as per the settlement under Section 12 (3) of the Act,

Be that as it may, since it is asserted by the learned counsel for the petitioners that the petitioners were called for interview and a panel has been prepared, the respondents are directed to consider the cases of the petitioners for transfer of their services from part time sweepers to that of Subordinate Staff Cadre within a period of eight weeks from the date of receipt of a copy of this order, if not already considered.

Writ petition is disposed of accordingly. No costs.

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7-3-2007

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